

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

URSULA A L DIAZ

v.

U.S. NAVY, ET AL.

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Civil Action No. DKC 2007-2831

MEMORANDUM OPINION

Plaintiff Ursula A L Diaz filed an action in the Circuit Court for Montgomery County on September 10, 2007 against the United States Navy seeking \$680,000 in damages for "Lack of accommodation in the event of October 26, 1991 in the Parking Lot of the Olney Village Mart in Olney, Maryland when a Sailor on Active Duty for the Navy Lacerated my eyelid." The United States removed the action to this court on October 18, 2007, and now moves to dismiss. (Paper 6). Although notified of the pendency of the motion, and the opportunity and necessity of response, (paper 9), Plaintiff has only filed a Notice of Confidentiality of Information. (Paper 10). For the following reasons, the complaint will be dismissed.

As pointed out by the Government in its motion, a person must first present a tort claim through the proper administrative process in a timely manner before bringing a civil action against the United States in court. *Kokotis v. U.S. Postal Service*, 223 F.3d 275, 278 (4th Cir. 2000) ("A key jurisdictional prerequisite to filing suit under the FTCA involves the presentation of an administrative claim to the government within two years of the

